

REMARKS**Examiner's Notes Received**

Applicant was informally advised by the Examiner with regard to several claims. Applicant received, on April 22, 2004 the following notes from the Examiner via email.

Regarding Appl. No. 09/329,606

The following deficiencies have been noted:

Regarding the method claim 11, this claim may be rejected under 35 U.S.C. 101, which reads as follows:

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention is directed to non-statutory subject matter. In this case computer-related inventions are nonstatutory and constitute "descriptive material", specifically, data structures and computer programs which impart functionality when employed as a computer component. This descriptive material is nonstatutory. However, when functional descriptive material is recorded on same computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. But merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make it statutory, that is a computer program are not statutory. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized is statutory. A computer program when in used in a computerized process where the computer executes the instructions set forth in the computer program is statutory. Please correct accordingly.

Please verify and correct if applicable.

Claim 1, "said network services" starting on line 4 and through out all claims, "said plurality of drivers" on line 13;

Claims 5, and 15, use Application program interface (API)

Claims 6, and 16, use Extensible Language Markup (XML)

Claims 7, and 17, "said network service providers" on line 7, lacks antecedent basis

Claims 8, "said network service drivers" and claim 18, "said service drivers"

Claims 9, and 19, use Hypertext transfer protocol (HTTP)

Claim 11, "said network services" through the claim

Comments Concerning Amendments

In reply, Applicant has amended claims 1, 4, 5, 6, 8, 9, 11, 13-19.

With regard to claims 1 and 11 and throughout the dependent claims, amendments have been made to provide antecedent basis for various terms, in particular, “network services”, “network service providers” and “network service drivers.” Support of “an engine comprising a plurality of network service drivers” can be found throughout the application, and in particular in
5 Fig. 1 and on page 11, line 8-20. Applicant notes amendments have been made to provide antecedent basis for “a plurality of network services.”

With regard to claims 5 and 15, “API” is amended to spell out “Application Program Interface (API).”

With regard to claims 6 and 16, “XML” is amended to spell out “Extensible Markup
10 Language (XML).” Similar amendments have also been made in claims 1 and 11.

With regard to claims 7 and 17, “a plurality of network service providers” in claim 1, line 14 provides antecedent basis for “said network service providers” in claim 7. Similarly, “a plurality of network service providers” in claim 11, lines 8-9, provides antecedent basis for “said network service providers” in claim 17.

15 With regard to claims 9 and 19, “HTTP” is amended to spell out Hypertext Transfer Protocol (HTTP).

With regard to claim 11, Applicant has amended the claim so that it now falls under statutory subject matter under 35 USC 101. Support of “network services are provided by a plurality of network service providers” can be found throughout the application, and in particular
20 in Fig. 1 and on page 11, line 8-20. Support of “an engine comprising a plurality of network service drivers” can be found throughout the application, and in particular in Fig. 1 and on page 11, line 8-20.

With regard to claims 13-19, they have been similarly amended to reflect the amendments made to claim 11 with regard to the statutory subject matter.

With regard to claim 17, "an entity that is capable of receiving some information a providing a response" has been amended to "an entity that is capable of receiving some information and providing a response" to correct for a typographical error.

5 **Conclusion**

Applicant hereby requests that the above remarks and amendments be entered along with the amendments and remarks originally filed on January 6, 2004 and subsequent amendments filed on March 11, 2004.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17
10 which may be required by this paper to Deposit Account No. 50-1215. Please show our reference number with any charge or credit to our Deposit Account.


Respectfully submitted,

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